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9 COUNCIL OF BETTER BUSINESS BUREAUS, INC.

10 IN THE UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 JEFFREY A. KAISER,
13 Plaintiff,
14 v.
15 BMW OF NORTH AMERICA, LLC, and
16 COUNCIL OF BETTER BUSINESS
17 BUREAUS, INC.,
18 Defendants.

CASE NO. C 12-01311 DMR

STIPULATION AND [REDACTED]
ORDER CONTINUING THE DEADLINE
FOR DEFENDANT COUNCIL OF
BETTER BUSINESS BUREAUS, INC.'S
REPLY BRIEF IN SUPPORT OF ITS
MOTION FOR LEAVE TO FILE ANTI-
SLAPP

STIPULATION BETWEEN PLAINTIFF AND DEFENDANT BBB

WHEREAS, on April 17, 2013, Defendant Council of Better Business Bureaus, Inc. ("BBB") filed a Motion for Leave to File an Anti-SLAPP Motion pursuant to California Code of Civil Procedure §425.16;

WHEREAS, on April 24, 2013, the court set the BBB's Motion for Leave for hearing on May 30, 2013, with plaintiff's opposition due May 1, 2013, and BBB's reply brief due May 8, 2013;

WHEREAS, on May 6, 2013, the parties filed a Stipulation to continue the deadline for BBB's reply brief from May 8, 2013 to May 16, 2013 as the parties were working on drafting a settlement agreement;

WHEREAS, on May 8, 2013, the court granted the continuance of BBB's reply brief from May 8, 2013 to May 16, 2013;

WHEREAS, the parties have finalized the terms of their Settlement Agreement, but are

1 awaiting approval from the Department of Consumer Affairs, Arbitration Certification Program
2 ("ACP") with regards to one of the settlement terms;

3 WHEREAS, BBB expects to hear back from ACP shortly such that the Settlement
4 Agreement may be finalized and executed, and the parties thus agree and stipulate to continue the
5 deadline for BBB to file its reply brief from May 16, 2013 to May 23, 2013.

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7 **It is so Stipulated:**

8 Dated: May 14, 2013

HAYES, SCOTT, BONINO, ELLINGSON & McLAY, LLP

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By: //S// Dara M. Tang

STEPHEN A. SCOTT

DARA M. TANG

Attorneys for Defendant

COUNCIL OF BETTER BUSINESS

BUREAUS, INC.

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Dated: May 14, 2013

KAISER GORNICK LLP

By: //S// Dennis J. Canty

LAWRENCE J. GORNICK

DENNIS J. CANTY

Attorneys for Plaintiff

JEFFREY A. KAISER

1 **[PROPOSED] ORDER**
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5 Based on the Stipulation of the Parties, BBB's Reply Brief in Support of its Motion for
6 Leave to File an Anti-SLAPP Motion will be due on May 23, 2013.
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9 **IT IS SO ORDERED.**
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Dated: May 14, 2013



Honorable Donna M. Ryu